



EXHIBIT
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Section 3

Human Resources

The purpose of this section is to record the various personnel rules, regulations, policies, and procedures of the Federal and State governments, the State Board, and the System Office. Special attention is given to the difference in provisions for faculty and classified employees.

3.4 Faculty Appointment

3.4.0 Original and Continuing Appointment Policy (SB)

3.4.0.0 Definitions

- a. **Appointment Dates** -- The effective date for all appointments is July 1 through June 30 irrespective of whether the faculty employment contract covers a nine- or twelve-month period. The faculty employment contract shall specify the period of service, the rank, and the salary.
 - 1. The normal period of service for nine-month faculty is August 16 - May 15 and July 1 - June 30 for twelve- month faculty.
 - 2. In exceptional cases, nine-month teaching faculty may serve for twelve-months, July 1-June 30. Administrative faculty may serve for nine months; August 16-May 15.
 - i. To establish exceptional twelve-month teaching positions and nine-month administrative positions, the college must submit a request to the Chancellor explaining how the exception will better meet the needs of the college.
 - ii. For these twelve-month positions, the work schedule and leave are the same as that for twelve-month administrative and professional faculty members as stated in VCCS Policy 3.9.3.2.
 - iii. The Chancellor may establish additional criteria for requests.
- b. **Probationary Appointment** – The first year of employment for teaching faculty.
- c. **One-year Appointment** -- A one-year appointment shall be for one (1) year and may be renewed annually.
- d. **Multi-year Appointments** -- Multi-year appointments shall be three or five years in duration.
 - (1) **Three-year Appointment** -- A three-year appointment shall be for three (3) years and shall not be affected by change in faculty rank.

(2) Five-year Appointment -- A five-year appointment shall be for five (5) years and shall not be affected by change in faculty rank.

- e. Year of Service -- For purposes of eligibility for multi-year appointments, a year of full-time employment for both nine month and twelve-month faculty personnel is full-time employment for two academic semesters (fall and spring), the salary for which is chargeable to a single fiscal year's budget. Employment for less than this period shall not constitute a year of full-time employment and shall not count toward the time eligibility period for a multi-year appointment. An unauthorized absence of 14 days or less in an academic year will not cause that year to be discounted. See IV. Leave of Absence.
- f. Nonreappointment -- The decision not to renew the appointment of a faculty member at the end of the current appointment period.

3.4.0.1 Eligibility

- a. Faculty -- Only teaching faculty, counselors, and librarians, who are employed in unrestricted full-time appointments and have been recommended for reappointment, are eligible for three- and five-year appointments. Administrators who hold faculty rank, faculty members with the rank of assistant instructor or lecturer, or those on restricted appointments serve only one-year or shorter appointments. Whenever the person becomes otherwise qualified, full-time employment in these capacities counts toward the eligibility for a multi-year appointment.

3.4.0.2 Sequence of Appointment

- a. Normal Sequence -- The normal sequence of appointment under this policy is three (3) one-year appointments (one probationary then two one year appointments), one (1) three-year appointment, and then the first five-year appointment. The sequence of appointment is subject to all of the other provisions of this policy. Nothing shall limit the number of one- and three-year appointments which may be granted nor shall anything prohibit the granting of a shorter appointment to a faculty member who had previously held a longer term appointment.
- b. Continuance -- Once a faculty member has been granted a five-year appointment, subsequent three or five multi-year renewal is presumed unless cause for discontinuance is demonstrated following review by the Ad Hoc Appointment Advisory Committee.
- c. Termination of Employment -- Termination of employment with the VCCS constitutes a break in service for purposes of seniority. (See the Procedure for Reduction of Staff Holding Faculty Rank for the determination of seniority.)
- d. Transfer Within the VCCS -- Upon transfer from one college in the VCCS to another college in the System, the appointment proposals accepted by faculty members while at the former college shall be deemed voided upon such transfers. The normal sequence of appointments at the receiving colleges shall be for faculty members to receive two (2) one-year appointments before being considered for the type of appointments for which they would have been eligible had they remained at the former institutions.
- e. Change of Status -- For teaching faculty, counselors and librarians who hold a multi-year appointment, an appointment to an administrator's position shall void the multi-year appointment since administrators receive only one-year appointments. For administrators transferring to a teaching, counselor or librarian position, the normal sequence of appointment shall be for the faculty member to receive one (1) one-year appointment before being recommended to the Ad Hoc Appointment Advisory Committee for consideration of a multi-year appointment, based on total previous service in the VCCS.

3.4.0.3 Leave of Absence

a. Education Leave

(1) Partial Pay -- Faculty members holding three- or five-year appointments who are granted educational leaves of absence with partial pay and are not employed full-time during at least two academic semesters of the period August 16 through August 15 of the following year shall have their current multi-year appointments extended for one year.

(2) An educational leave of absence, with or without pay, shall not disqualify the year of its occurrence as counting towards a year of service. No more than two academic years may be exempted from the years of full-time service requirement because of educational leave.

- b. Military Leave -- A military leave of absence, for a member of a reserve unit who is called to active duty, and who, upon completion of her or his military obligation, returns immediately to the college, shall not disqualify the active military duty period as counting towards a year of service for purposes of promotion or multi-year appointments.
- c. Leave With or Without Pay -- Periods of leave, with or without pay (except for the use of earned annual or sick leave, educational leave, sabbaticals, or military leave), of over 14 calendar days cause a discontinuity for a semester, disqualifying the semester from counting towards a full year of

employment, unless specific arrangements have been made between the president and faculty member. The arrangements must be in writing and placed in the faculty member's personnel file prior to the beginning of the leave. No leave without pay agreement shall exceed one fiscal year in length.

- d. Extension -- An extension of more than two years beyond the original expiration date of a multi-year appointment is not authorized.

3.4.0.4 College Procedures

- a. Ad Hoc Appointment Advisory Committee -- The president shall establish an Ad Hoc Appointment Advisory Committee to provide information and advice for the president's consideration on all faculty members eligible for three- and five-year appointments.
- b. Committee Membership -- The distribution of the membership of this committee shall be determined by the president and shall be from the various segments of the college faculty (teaching faculty, counselors, and librarians) and administrators. Where practicable, the faculty membership shall be in general proportion to the college population of each such faculty segment, but in no case shall there be less than one representative from each faculty segment. The various segments of the college faculty shall elect from their members their representatives on this committee. The president shall appoint administrators to this committee, but in no case shall administrative representatives exceed one-third (1/3) of the committee membership.

c. Committee Procedures

(1) The committee shall elect a chair from the membership and establish operating procedures necessary to fulfill its function in accordance with guidelines established by the president. Among these guidelines shall be provisions (a) that a faculty member eligible for a three- or five-year appointment may appear before the committee to present such information as the committee deems appropriate; and (b) in the event that an administrator has participated in any preliminary decision regarding the current evaluation of the faculty member in question, the administrator shall be replaced by another administrator appointed by the president for the consideration of that faculty member.

(2) The committee shall consider all eligible faculty for three- or five-year appointments and any other faculty who have been recommended for special consideration by the president.

3.4.0.4.0 Criteria for Multi-Year Appointments -- The criteria to be considered by the committee as it considers faculty for three- and five-year appointments shall include, but not be limited to, the following: (a) competence of faculty members as teachers or in their assigned functions; (b) effectiveness of faculty members in carrying out their functions and duties as prescribed in the college Faculty Handbook; (c) ability to establish and maintain positive professional relationships with colleagues, supervisors, students, and the community; (d) extent and currency of professional qualifications; (e) adherence to all policies, procedures and regulations as outlined in the college Faculty Handbook, the VCCS Policy Manual, any policy, procedure, and regulation adopted by the college or the VCCS, and the laws of the Commonwealth of Virginia; and (f) evaluations. Where additional criteria are considered, they shall be stated in the report of the committee. In order for the committee to consider appropriately the above criteria, the committee shall have access to all available information regarding each faculty member under consideration. Such information shall be retained in strict confidence by the committee.

3.4.0.5 General Provisions

3.4.0.5.0 Appointment

All appointments are considered approved by the State Board for Community Colleges upon execution of the faculty employment contract by the President or Chancellor if the appointment is made in accordance with the provisions of the VCCS Policy Manual and applicable state and federal law.

3.4.0.5.1 Probationary Teaching Appointment

- a. A probationary appointment is normally for the fall and spring semesters of the first academic year of employment. Faculty whose initial appointment occurs at any time other than the fall semester must still serve a two semester (fall/ spring) probationary appointment. Summer may not be used as a probationary period.
- b. Periods of leave, with or without pay of over 14 calendar days will normally disqualify a semester from counting towards the two semester probationary requirement. In such cases, the probationary period may be extended for one semester.
- c. To receive a one-year appointment, first year faculty must complete the probationary appointment with a summary evaluation rating of "meets expectations."
- d. First-year faculty who receive a "does not meet expectations" rating in either semester will not be reappointed, however they may be allowed to complete their employment contract

period. They may continue to teach or be reassigned at the discretion of the president for the second semester. In accordance with the Nonreappointment Policy they must be notified by March 15th that they will not be reappointed for the following academic year.

3.4.0.5.2 Multi-year Appointments

Faculty members shall indicate their acceptance of the multi-year appointment by signing and returning the Appointment Proposal to the president within the designated timeframe. The president submits a certification to the Chancellor that the provisions of this Appointment Policy have been followed in the offering of multi-year appointments to college faculty.

3.4.0.5.3 Original and Continuing Appointment

By signing the Faculty Employment Contract, faculty agree to accept the general conditions of employment set forth in college policies and the VCCS Policy Manual. Additionally, each appointment is made expressly subject to the terms and conditions of the Appropriations Act of the Virginia General Assembly and the applicable laws of the Commonwealth of Virginia. Conditions of employment, academic rank, salary and beginning and ending dates shall be specified on the VCCS Faculty Employment Contract.

3.4.0.5.4 Non-reappointment or Change in Conditions

The president shall notify the faculty member in writing of the intent to non-reappoint or of any changes in the conditions of employment or special contingencies by the following dates.

1. Teaching Faculty:

- a. March 15 for teaching faculty in their probationary year of employment, second year of service, and third year of service.
- b. January 15 for teaching faculty on multi-year appointments and other faculty.

2. Administrative and Professional Faculty:

- a. January 15 for administrative and professional faculty.

Multi-campus Institutions -- In a multi-campus college within the VCCS, the provisions of this policy shall apply to the institution as a whole and service on one campus shall transfer to other campuses within the same college.

3.4.0.5.5 Reassignment of Administrative and Professional Faculty

The President/Chancellor may reassign administrative and professional faculty members during the contract period. A reassignment is a temporary change in administrative title, responsibilities, or assignment to another position or department. Reassigned faculty members will continue to receive no less than their contract salary until the end of the contract period. The duties of the reassigned position will be reasonably commensurate with the faculty member's education, experience, performance and needs of the college. Any reassignment made under this provision will be for a period of less than one contract year. Permanent actions must meet the provisions of policy 3.4.0.5.4, Non-reappointment/Change of Conditions, where appropriate.

3.4.0.6 Time Frames

- a. Changes in Appointment Status -- Changes in appointment status for nine-month faculty become effective on August 16 and for twelve-month faculty on July 1 each year.
- b. The president shall advise all faculty members in writing no later than June 30 of their academic rank and salary for the upcoming contract period.
- c. Return Date: If an Appointment Proposal or the Faculty Employment Contract is not returned within the specified timeframe the college may withdraw the offer.

3.4.1 Appointment Proposal and Faculty Employment Contract Forms(C)

Purpose: To provide instructions on the completion of the Appointment Proposal Form and the Faculty Employment Contract Forms.

3.4.1.0 Appointment Proposal Form: **VCCS-34A-1**

- a. Use: The Appointment Policy is used when there is a change in the conditions of the faculty member's employment. The following actions require an appointment proposal: change in multi-year status, change from a nine-month teaching position to a twelve-month teaching position, and from a twelve-month teaching position to a nine-month teaching position, change from twelve-month administrative position to nine-month administrative position change from administrative/professional faculty position to a teaching faculty position, change in the academic field taught, nine-month program head to nine-month faculty and nine-month faculty to nine-month program head and other changes deemed appropriate by the college.

- b. Time Frames: The time frame on the Appointment Proposal shall be August 16 through May 15 for nine-month teaching faculty and July 1 through June 30 for twelve-month teaching faculty and administrators. For multi-year appointments, the period covered is the length of the one, three, or five-year appointment.
- c. Deadlines: Appointment Proposals, for a change in multi-year status, must be issued as soon as possible after the college multi-year process is completed but before Faculty Employment Contracts are issued. Proposals reflecting a change in the conditions of employment must be issued by March 15 for faculty with three years of service or less and by January 15 for faculty with more than three years of service in order to be in compliance with the Nonreappointment Policy and Section 3.4.0.5.4 of this policy.

3.4.1.1 Faculty Employment Contract: **VCCS-34A-2**

- a. Use: The Faculty Employment Contract is the VCCS employment contract. It is to be used for full-time administrative, professional and teaching faculty.
- b. Time Frames: Faculty Employment Contracts shall be dated August 16 through May 15 for nine-month teaching faculty and July 1 through June 30 for administrative, professional faculty and twelve-month instructional faculty. Contracts may not span fiscal years. For example, if an administrator was hired effective June 10, the administrator would be issued one Faculty Employment Contract for the period June 10 through June 30 and a second Faculty Employment Contract for the July 1 through June 30 period.
- c. Special Conditions: All conditions and terms will be entered in the Special Conditions section of the form. These may include additional academic requirement, etc. A timeframe for accomplishment and a statement of the consequence of failure to meet the terms of the special conditions shall be included if appropriate.
- d. Restricted Positions: Positions may be restricted by length of appointment or by funding source. All conditions and terms for a restricted contract will be described in the "Special Conditions or Assignments" portion of the form. At a minimum, the Statement of Conditions should include, but is not limited to the following:
"It is understood that this contract is restricted in nature. Accordingly, there shall be no further notices of nonreappointment as this proposal shall expire without notice at the end of said term. Additionally, this appointment is subject to full and continued availability of funds."

3.4.1.2 Faculty Employment Contract for Associate Instructor: **VCCS-34A-3**

- a. Use: The Faculty Employment Contract is the VCCS employment contract for Associate Instructor. It is to be used for the positions of Associate Instructor I and II.
- b. Time Frames: Faculty Employment Contracts shall be dated August 16 through May 15 for Associate Instructors. Contracts may not span fiscal years.
- c. Special Conditions: All conditions and terms will be entered in the Special Conditions section of the form. These may include additional academic requirements, etc. A timeframe for accomplishment and a statement of the consequence of failure to meet the terms of the special conditions shall be included if appropriate.

3.4.2. Restricted Faculty Appointments

Purpose: Restricted appointments create circumstances that are not appropriately handled by certain policies developed for regular faculty appointments. The purpose of the policies and procedures in this appendix is to address these special circumstances.

3.4.2.0 Definitions

- a. Restricted Appointment - A restricted appointment is an appointment to a position that is funded in whole or in part by non-State revenues, or has been accepted under special conditions, or that is identifiable as non-continuing in nature.
- b. Restricted Classified Personnel - Restricted classified personnel are individuals holding an appointment to a restricted classified position.
- c. Restricted Faculty Personnel - Restricted faculty personnel are individuals holding a restricted appointment to a teaching and research (T&R) faculty position in the Virginia Community College System. Restricted faculty personnel are further categorized as follows:
 - (1) Restricted Education and General (E&G) Faculty Personnel - Restricted E&G faculty personnel are appointed to restricted positions funded from Education and General (E&G) funds appropriated to the Virginia Community College System. Restricted E&G faculty personnel provide replacements for permanent faculty members on leave with or without pay for a specific period and who are expected to return at the conclusion of the leave. Conditions appropriate to this category include, but are not limited to, leaves for purposes of education, illness, military, or for personal reasons. Restricted E&G appointments for other purposes must have the prior approval of the Chancellor.

(2) Grant Funded Faculty Personnel - Restricted grant funded faculty personnel are appointed to restricted positions funded in whole or in part from sources other than Education and General (E&G) funds appropriated to the Virginia Community College System. Grant funds may derive from, but are not limited to, state, federal, local, private, or foundation sources.

3.4.2.1 Scope

- a. Applicable to Restricted Faculty Personnel Only - The policies and procedures in this appendix apply only to restricted faculty personnel. Restricted classified personnel are governed by applicable policies of the Department of Human Resource Management.
- b. Effect on Other Policies - Except as provided in this appendix, all policies, procedures, and compensation plans established by the State Board for Community Colleges, the Chancellor of the Virginia Community College System, or the individual community colleges for faculty personnel are applicable to restricted faculty personnel. This specifically includes applicable affirmative action plans and procedures. References to "faculty rank personnel" in other Virginia Community College System policies and procedures shall be deemed to include restricted faculty personnel, whether or not such personnel have been awarded faculty rank.

3.4.2.2 Special Provisions Applicable to All Restricted Faculty Personnel

- a. Required Notification of Restricted Status - Proposals of appointment to restricted positions must clearly describe the temporary nature of the appointment. See Section 3.4.1, Appointment Proposal and Rank and Salary Proposal forms.
- b. Reappointment - The provisions of the Original and Continuing Appointment Policy (Section 3.4.0) and Faculty Sanctions (Nonreappointment) Policy shall not apply to restricted faculty personnel.
- c. Reduction in Staff Policy and Severance Pay - The Reduction in Staff Policy shall not apply to restricted faculty personnel and restricted faculty personnel shall not be eligible for severance pay.
- d. Benefits - Restricted faculty personnel are to receive all benefits (hospitalization, insurance, retirement, etc.) provided by current state regulations for such positions. The cost of benefits must be included in grant budgets or the institution must bear the expense from other funds.

3.4.2.3 Special Provisions Applicable to Grant Funded Faculty Personnel

- a. Appointment Periods - The appointment period for grant funded faculty personnel may be made consistent with the period of the controlling grant, however, an appointment may not be for more than twelve months.
- b. Administrative Titles - At the discretion of the college president, descriptive titles for grant funded faculty personnel may be made consistent with titles used by the sponsor of the grant. Such titles shall not be construed to apply to college or VCCS hierarchical organizational structures or salary scales. Grant funded faculty personnel will normally be classified as "administrative officers" for VCCS appointment purposes.
- c. Faculty Rank and Faculty Qualifications - Unless the duties of the grant funded faculty personnel involve instruction of credit courses or other functions where faculty rank is appropriate, faculty rank will not be assigned and faculty qualifications prescribed in the VCCS-29, Normal Minimum Criteria for Each Faculty Rank, will not apply.
- d. Salary - Salaries for grant funded faculty personnel shall be established by the college president within resources provided by the grant and are independent of salary ranges associated with faculty ranks or administrative titles.
- e. Effect of Grant Curtailment or Termination - Grant funded faculty personnel may be terminated whenever the sponsor of the grant curtails or terminates the program.
- f. Effect of Grant Continuation, Renewal, or Extension - In the event a grant is continued, renewed, or extended, grant funded faculty personnel may be issued a new appointment or may be notified that their appointment will not be renewed. Such notice shall be in writing and shall be issued within thirty (30) days of receipt of a notification of the grant continuation, renewal, or extension or within sixty (60) days of the end of the appointment period, whichever is later.

3.4.3 Employment of Adjunct Faculty (SB)

In accordance with the Criteria of the Commission on Colleges of the Southern Association of Colleges and Schools (SACS), each college shall develop and implement a management system for adjunct faculty including recruitment, orientation, compensation, supervision, and evaluation. Further, each college shall publish and make available an adjunct faculty handbook that contains policies and procedures related to adjunct faculty.

3.4.4 Distinguished Professorship Appointments

Purpose of Distinguished Professorships: The purpose of a distinguished professorship appointment is for recruitment, retention, and recognition or reward of internal and external teaching faculty whose professional contributions provide significant enhancement to instruction, the curriculum, or the institution's ability to meet its mission. Such a designation recognizes extraordinary pedagogical or scholarly attainment in an individual discipline or field, such as awards, prizes, fellowships, grants, patents, publications, membership in learned academies, letters of endorsement from peers, and similar honors. Distinguished professorship appointments may be funded using state funds, one time gifts, or endowed funds.

Policy Statement: The holder of a distinguished professorship is one of the most prestigious honors that can be bestowed by the Virginia Community College System (VCCS). The highest levels of performance, stature, and character are inherent guidelines for appointment of such a professorship. Distinguished professors have earned internal or external recognition of their performance, often on a statewide, national, or international level as judged by an independent assessment of peers. The expectation of unquestionable excellence means that the person is deemed to have achieved the highest stature and exemplary accomplishment in teaching and in their discipline. The appointment to a distinguished professorship may recognize a current member of the faculty, recruitment of a new faculty member, or a notable visiting faculty member. However, in all appointments, sustained excellence must be demonstrated with ongoing potential based on national and international standards.

Procedures: Unless circumstances warrant a different approach, the process of appointing a person to distinguished professorship starts with a nomination from the appropriate dean. The nomination package must include sufficient justification for such a prestigious honor. To advance, the nomination may include a peer review and must be reviewed and endorsed by the academic vice president/provost. The academic vice president/provost presents the recommendation to the college president. The president then provides a formal recommendation and request to the Chancellor.

To ensure a consistent standard, the Chancellor may appoint an ad hoc review panel of peers from throughout the system to provide a review and recommendation of the request. This ad hoc review committee will normally consist of other distinguished professors, deans, and academic vice presidents. The committee may also supplement its membership with advancement staff, human resources professionals, vice presidents of finance and administration, or other designees, to include external reviewers. The Chancellor will then recommend the appointment to the State Board for Community Colleges.

Application packages will normally consist of curriculum vitae, portfolio of accomplishments, summarized record of achievement, and will usually include letters of endorsement from internal and external peers and other officials. Nothing in this policy requires or prohibits additional peer review elements to be included to validate the distinction of nominees. The Chancellor may develop similar procedures for appointing VCCS system-wide distinguished professorships.

Terms and Conditions: To preserve the distinction of distinguished professorships, the number cannot exceed 10% of the total number of regular teaching faculty appointments within a college or the VCCS. All distinguished professorships are temporary and subject to sustained excellence, though terms of up to five (5) years may be granted. Appointments may be renewed, subject to an additional review and approval.

The compensation for distinguished professorships must be approved by the VCCS Human Resources Department in advance of an appointment and based upon the analysis of objective internal and external data. In no circumstances should state funds be used to compensate distinguished professorships above the State Board for Community Colleges (State Board) approved salary ranges for a given faculty position. Approved state salary ranges are documented on the VCCS-18 Salary Schedule. If there is a need to compensate a distinguished professor above the approved salary range, external funding must be used as a supplement. In all cases, the total compensation of a distinguished professorship would normally not exceed 150% of a regular faculty position, with exceptions approved by the Chancellor. In addition to salary supplements, support resources for distinguished professorships can be used for summer employment, research, staffing support, professional development, equipment, reassigned time, or other mission-specific support as approved by the president or Chancellor.

Distinguished professorships and chairs can be endowed. An endowed professorship or chair is defined as a state funded position to which the salary supplement is fully funded from endowment income. Endowed professorships/chairs can carry the name of the donor or funding source at the sole discretion of the State Board.

As a teaching institution, all distinguished professorships have the obligation to instruct and interact with students. The teaching load, workload, and service requirements of distinguished professorships are negotiated based upon the needs of the institution, the terms and conditions of the appointment, and subject to annual review and adjustments. Additionally, distinguished professorships will carry with them the expectation of service, including public relations obligations, community and professional outreach, speaking engagements, and other ambassadorial responsibilities as deemed consistent with the terms and conditions of their appointment.

Distinguished professorships may be awarded to full-time or adjunct faculty within the VCCS who hold the rank of associate professor or full professor; emerging teacher-scholars who show significant promise; visiting faculty of noteworthy professional accomplishment; and scholars-in-residence. Visiting

distinguished faculty may be afforded a VCCS academic rank, depending upon their professional background and as agreed upon or designated in their nomination and appointment agreement.